

Amended by Law 41 of 1965

CAYMAN ISLANDS.

LAW 18 of 1964

I assent,

[L.S.]

J. A. CUMBER,

Administrator.

22nd October, 1964.

A LAW to regulate and control the catching and killing of Lobsters in the Cayman Islands Coastal Waters.

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ENACTED by the Legislature of the Cayman Islands.

1 — This Law may be cited as the Lobster (Restriction on Fishing) Law, 1964, and shall come into operation on a day to be appointed by the Administrator by Government Notice published in the Cayman Islands.

Short title
and com-
mencement.

2 — In this Law unless the context otherwise requires —

Interpretation.

"Cayman waters" includes all waters surrounding the Islands of Grand Cayman, Cayman Brac and Little Cayman up to and including a distance of three nautical miles from the shoreline respectively, and shall specifically include the waters comprising the geographical area known as the "North Sound", Grand Cayman;

"closed season" means the period from the 1st of April to the 31st of July;

"lobster" means the common Caribbean spiny lobster or crawfish;

"lobster pot" includes every kind of trap commonly used, other than a fishing net, for taking lobster;

"minimum size" in relation to lobsters means a lobster which is not less than nine inches total length, measured from the tip of the extended fan tail to between the horns;

"open season" means the period from the 1st of August to the 30th of March;

"sell" includes offer or expose for sale;

"spear fishing" means using a spear, harpoon or similar device under water;

"spear gun" means any weapon, apparatus or under water mechanism so constructed as to be capable of being used under water for the discharge of (whether complete or partial) of any projectile whether or not a spear or harpoon;

"take" in relation to lobsters means to take or capture from its natural habitat and "taking" and other cognate expressions shall be construed accordingly.

Offence to injure, destroy, sell etc. when lobster is bearing eggs.

3 — Any person who takes, injures, destroys, sells, purchases or is in the possession of any lobster whether dead or alive at any time when the lobster is bearing eggs shall be guilty of an offence under this Law.

Offence to take or injure lobster during closed season.

4 — Any person who takes, injures or destroys a lobster in Cayman waters at any time during the closed season shall be guilty of an offence under this Law.

Offence for any person to take more than three lobsters per day during open season.

5 — Any person who takes, injures or destroys with spear gun or by spear fishing more than three lobsters in any one day during the open season shall be guilty of an offence under this Law.

No restriction on number of lobsters taken by pot etc.

6 — There shall be no restriction on the numbers of lobsters taken by pot during the open season, but it shall be an offence under this Law to take or retain in Cayman waters any lobster below the minimum size.

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7 — Any person who takes any lobster which by reason of any of the provisions of this Law cannot be sold, purchased or kept in possession, then in any such case it shall be the duty of the person taking the lobster forthwith to return it to the sea, and any person who fails to do so shall be guilty of an offence under this Law.

Lobster to be returned to the sea.

8 — Notwithstanding anything in the foregoing provisions of this Law it shall be lawful for the Administrator to issue a permit, subject to such conditions as the Administrator may impose, authorising any person to take, or as the case may be, to sell any lobster in circumstances which would in the absence of any such permit constitute an offence under this Law.

Power to issue permit.

9 — For the purpose of ascertaining whether there is or has been any contravention of the provisions of this Law any member of the Cayman Islands Police Force shall have the power —

Power of Member of Police Force.

- (i) to enter any premises or any vehicle, boat, receptacle or place where lobster may be kept; and/or
- (ii) inspect the contents of any lobster pot and to ensure the removal therefrom any lobster which cannot lawfully by reason of any provision of this Law, be taken.

10 — The Administrator may with the consent of the Executive Council make such regulations for the better effectuation of this Law as he may think fit.

Regulations.

11 — Any person who is guilty of an offence against any of the provisions of this Law shall be liable on conviction by a Court of summary jurisdiction to a fine not exceeding fifty pounds or to imprisonment not exceeding four months, or to both such fine and imprisonment.

Penalty.

Passed the Assembly this 17th day of July, 1964.

J. A. CUMBER,
President.

SYBIL McLAUGHLIN,
Clerk of the Legislative Assembly.

Published by Government Notice No. 102 of 1964. Date of operation 2nd November, 1964.

